

REMARKS

Claims 1–11 are pending in the application. These claims were rejected as follows:

Claims / Section	35 U.S.C. Sec.	References / Notes
1	§103(a) Obviousness	<ul style="list-style-type: none">• Anderson (U. S. Patent No. 5,721,783); and• Balch, et al. (U.S. Patent No. 6,118,378).
2–11	§103(a) Obviousness	<ul style="list-style-type: none">• Anderson (U. S. Patent No. 5,721,783);• Balch, et al. (U.S. Patent No. 6,118,378); and• Sano (U.S. Patent No. 6,828,868)

5 Applicants have amended claim 1 to include the limitations of cancelled claims 3 and 4, and have further amended the claim to be directed to a hearing aid. Applicants have also provided discussion for distinguishing the present invention, with claims as amended, from the art cited against it.

Applicants' use of reference characters below is for illustrative purposes
10 only and is not intended to be limiting in nature unless explicitly indicated.

35 U.S.C. §103(a), CLAIM 1 OBVIOUSNESS OVER ANDERSON AND BALCH

1. Applicants have amended claim 1 to include the limitations of claims 3 and 4, thereby rendering this objection moot.

In the OA, on pp. 2–3, the Examiner rejected claim 1 as being obvious
15 over the combination of Anderson and Balch. Applicants have added the limitations of claims 3 and 4 to claim 1, thereby rendering this rejection moot. Applicants address the rejection of claim 4 below.

35 U.S.C. §103(a), CLAIMS 2–11 OBVIOUSNESS OVER ANDERSON, BALCH, AND SANO

2. Applicants have amended claim 1 to include the limitations of claims 3 and 4 so that all pending claims depend from former claim 4. The combination of Anderson, Balch, and Sano fail to teach or suggest

5 In the OA, on p. 4, the Examiner rejected claim 4 as being obvious over the combination of Anderson, Balch, and Sano. As noted above, Applicants have added the limitations of claims 3 and 4 to claim 1, and therefore, the rejection of claim 4 serves as the primary issue addressed in this Amendment.

The Examiner stated, on p. 4:

10 [Regarding Claim 3] Sano discloses an oscillating circuit (Fig. 5) comprising a current source, differential pair and current mirror configuration (Fig. 5, reference IO, M1, M2, M3, M4; column 3, lines 26–59; column 4, lines 9–18) that corresponds to the actuation circuit claimed.

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Regarding Claim 4, as shown above apropos of Claim 3, the configuration that corresponds to the actuation circuit claimed comprises a current mirror (Fig. 5, reference M3, M4) and a differential pair (Fig. 5, reference IO, M1, M2) that corresponds to the comparator claimed.

Former claim 3, and currently amended claim 1, however, requires that the
25 energy is delivered into the oscillator circuit exclusively during a negative or positive half-cycle of the oscillation. The oscillation circuit of Sano is built symmetrically. If the potential at the collector of transistor Q1 is high due to the oscillation circuit L1 C1, transistor Q2 is opened so that the current of 10 is fed through Q2 to the oscillation circuit. Otherwise, if the potential at the collector side

of Q2 is high, transistor Q1 opens and the current of the current source 10 is transmitted to the oscillation circuit L1 C1 via Q1.

Consequently, the oscillation circuit of Sano receives energy during the negative and positive half-cycle. Therefore, a combination of the teachings of
5 Anderson, Balch and Sano can neither lead to the subject matter of currently amended claim 1. The inventive hearing aid is very advantageous in that the oscillation circuit is fed with less power which is tremendously important for hearing aids (see paragraph [0008] of the Specification).

For these reasons, the Applicant asserts that the amended claim language
10 clearly distinguishes over the prior art, and respectfully request that the Examiner withdraw the §103(a) rejection from the present application.

CONCLUSION

Inasmuch as each of the objections have been overcome by the amendments, and all of the Examiner's suggestions and requirements have been
15 satisfied, it is respectfully requested that the present application be reconsidered, the rejections be withdrawn and that a timely Notice of Allowance be issued in this case.

Any shortages of fees due may be charged to, and any overpayments may be credited to, deposit account no. 50-1519.

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Respectfully submitted,

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/Mark Bergner/ (Reg. No. 45,877)
Mark Bergner
SCHIFF HARDIN, LLP

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PATENT DEPARTMENT
6600 Sears Tower
Chicago, Illinois 60606-6473
(312) 258-5779
Attorney for Applicants
Customer Number 26574